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Attorney Docket P2548P1C9

PATEN

CERTIFICATION UNDER 37 CFR 1.10

EL 809 448 875 US: Express Mail Number August 30, 2001: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION Assistant Commissioner of Patents Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Baker, Kevin P., Darnestown, MD Botstein, David, Belmont, CA Eaton, Dan L., San Rafael, CA Ferrara, Napoleone, San Francisco, CA Filvaroff, Ellen, San Francisco, CA Gerritsen, Mary E., San Mateo, CA Goddard, Audrey, San Francisco, CA Godowski, Paul J., Burlingame, CA Grimaldi, Christopher J., San Francisco, CA Gurney, Austin L., Belmont, CA Hillan, Kenneth J., San Francisco, CA Kljavin, Ivar J., Lafayette, CA Napier, Mary A., Hillsborough, CA Roy, Margaret Ann, San Francisco, CA Tumas, Daniel, Orinda, CA Wood, William I., Hillsborough, CA

Title: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME

1. Type of Application

- [] This application is for an original, non-provisional application.
- $[\]$ This is a non-provisional application claiming priority to provisional application no. , filed the entire disclosure of which is hereby incorporated by reference.
- [X] This is a [] continuation-in-part [X] continuation [] divisional application of U.S. Serial Number 09/866,028 filed May 25, 2001 and claims priority to U.S. Provisional Patent

Application Serial Numbers: 60/067,411 filed December 3, 1997; 60/069,334 filed December 11, 1997; 60/069335 filed December 11, 1997; 60/069,278 filed December 11, 1997; 60/069,425 filed December 12, 1997; 60/069,696 filed December 16, 1997; 60/069,694 filed December 16, 1997; 60/069,702 filed December 16, 1997; 60/069,870 filed December 17, 1997; 60/069,873 filed December 17, 1997; 60/068,017 filed December 18, 1997; 60/070,440 filed January 5, 1998; 60/074,086 filed February 9, 1998; 60/074,092 filed February 9, 1998; 60/075,945 filed February 25, 1998; 60/112,850 filed December 16, 1998; 60/113,296 filed December 22, 1998; 60/146,222 filed July 28, 1999; and U.S. and PCT Patent Application Serial Numbers: PCT/US98/19330 filed September 16, 1998: PCT/US98/25108 filed December 1, 1998; 09/216,021 filed December 16, 1998; 09/218,517 filed December 22, 1998; 09/254,311 filed March 3, 1999; PCT/US99/12252 filed June 22, 1999; PCT/US99/21090 filed September 15, 1999; PCT/US99/28409 filed November 30, 1999; PCT/US99/28313 filed November 30, 1999; PCT/US99/28301 filed December1, 1999; PCT/US99/30095 filed December 16, 1999; PCT/US00/03565 filed February 11, 2000; PCT/US00/04414 filed February 22, 2000; PCT/US00/05841 filed March 2, 2000; PCT/US00/08439 filed March 30, 2000; PCT/US00/14042 filed May 22, 2000; PCT/US00/20710 filed July 28, 2000; PCT/US00/32678 filed December 1, 2000; PCT/US01/06520 filed February 28, 2001; the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

- 148 pages of specification
- 3 pages of claims
- 1 page(s) of abstract
- __34 sheet(s) of drawings
 - [X] formal [] informal

3. Declaration or Oath

- (for new and CIP applications; also for Cont./Div. where inventor(s) are being added)

 An executed declaration of the inventor(s) [] is enclosed [] will follow.
- (for Cont./Div. where inventorship is the same or inventor(s) being deleted)
 X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).
 - (for Cont./Div. where inventor(s) being deleted)
- A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

- (for new and CIP applications)
- An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.
 - (for cont./div.)
- X The prior application is assigned of record to Genentech, Inc.

5.	Amend	dments	(for continuation ar	nd divisional application	ıs)
				laims _ of the prior applicated and claim must be retain	ation before calculating the filing ned for filing purposes.)
e.	_X	properly nun		beginning with the num	by this amendment have been aber next following the highest
	Relate	Back 35 U.	.S.C. 120 or 35 U.S.C	C. 119	
	X	Amend the s	pecification by inserti	ng before the first line the	sentence:
	This is	s a			
	X	continuation	nal application in-part		
	of appli	cations			
	X	Numbers: 09 09/254,311 f	9/216,021 filed Dece filed March 3, 1999, v	mber 16, 1998; 09/218,	claims priority to U.S. Serial 517 filed December 22, 1998; corporated herein by reference \$ \circ 120; and
	X	PCT/US98/2 PCT/US99/2 PCT/US99/3 PCT/US00/0 PCT/US00/0 PCT/US00/2 PCT/US01/0	25108 filed December 1090 filed September 28313 filed November 20095 filed December 24414 filed February 28439 filed July 2856520 filed February 2846520 filed February 28546540 herein by reference	er 1, 1998; PCT/US99/26 er 15, 1999; PCT/US99/26 er 30, 1999; PCT/US99/26 er 16, 1999; PCT/US00/07/22, 2000; PCT/US00/07/30, 2000; PCT/US00/326 er 2000; PCT/US00/326 er 2001, which designate	30 filed September 16, 1998; 7/12252 filed June 22, 1999; 8409 filed November 30, 1999; 28301 filed December1, 1999; 3565 filed February 11, 2000; 7/05841 filed March 2, 2000; 14042 filed May 22, 2000; 7/8 filed December 1, 2000; 2/14042 filed May 3/14042 filed December 1, 2000; 2/14042 filed December 3/14042 filed Decemb
	_X	provisional a December 1- 1997; 60/06: 60/069,694 fil December 17 1997; 60/070 February 9, 1998; 60/113 disclosure of	application numbers of 1, 1997; 60/069335 fi 9,425 filed December 16, 1987, 1997; 60/069,873 fi 9,440 filed January 5, 1998; 60/075,945 filed December 1, 19	led December 11, 1997; fer 12, 1997; 60/069,69 97; 60/069,702 filed Decen filed December 17, 1997; 1998; 60/074,086 filed Fel ed February 25, 1998; 6 er 22, 1998; 60/146,222	ber 3, 1997; 60/069,334 filed 60/069,278 filed December 11, 26 filed December 16, 1997; mber 16, 1997; 60/069,870 filed 60/068,017 filed December 18, bruary 9, 1998; 60/074,092 filed 0/112,850 filed December 16, filed July 28, 1999, the entire I to which applications priority is

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

		CLAIN	S FOR FEE CA	LCULATION		
Number	Filed	Numbe	er Extra	Rate	Basic Fee 37 CFR 1.16(a) \$710.00	
Total Claims	6	- 20 =	0	X \$18.00	\$0.00	
Independent Claims	1	- 3=	0	X \$80.00	\$0.00	
Multiple dependent claim(s), if any			(s), if any	+ \$270.00	\$0.00	
			Fili	ng Fee Calculation	\$710.00	

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$710.00. A duplicate copy of this transmittal is enclosed.

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. <u>A duplicate copy of this sheet is enclosed</u>.

9. Additional Papers Enclosed

- [] Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- [X] Request to Use Computer Readable Form of Sequence Listing from Parent Application Pursuant to 37 CFR § 1.821(e) and paper copy of Sequence Listing.
- A new Power of Attorney or authorization of agent.
- [X] Other: Associate Power of Attorney (37 CFR 1.34) and change of correpondence address; and Post card.

10.	Maintenance	of	Copendency	of	Prior	Application	(for	continuation	and	divisional
applica	ations)									

must be completed and the necessary papers filed in the prior application if the period set r application has run]
 A petition, fee and/or response has been filed to extend the term in the pending prior application until
 A copy of the petition for extension of time in the <i>prior</i> application is attached.

11. **Correspondence Address:**

<u>X</u> Address all future communications to:

> Paul E. Rauch, Ph.D. Brinks, Hofer, Gilson & Lione NBC Tower - Suite 3600 455 N. Cityfront Plaza Drive Chicago, Illinois 60611-5599 Telephone: 312-321-4200 Facsimile: 312-321-4299

CUSTOMER NO: 28442

Respectfully submitted, GENENTECH, INC.

Elizabeth M. Barnes, Ph.D. Reg. No. 35,059

Telephone No. (650) 225-4563

09157

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Baker et al.

Serial No.: Not yet assigned

Filed: Herewith

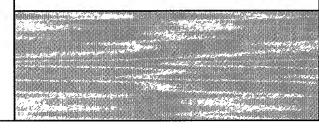
For: Secreted and Transmembrane

Polypeptides and Nucleic Acids

Encoding the Same

Group Art Unit: Not yet assigned

Examiner: Not yet assigned



REQUEST TO USE COMPUTER READABLE FORM OF SEQUENCE LISTING FROM PARENT APPLICATION PURSUANT TO 37 C.F.R. § 1.821 (e)

Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

The patent application filed herewith is a continuing application of currently pending application Serial No. 09/866,028, filed on May 25, 2001. The Sequence Listings in (a) the herewith filed patent application and (2) currently pending patent application Serial No.09/866,028, filed on May 25, 2001, are identical. Therefore, pursuant to 37 C.F.R. § 1.821(e), Applicants respectfully request that the compliant computer readable form of the Sequence Listing filed on May 25, 2001 in parent application Serial No. 09/866,028 be used as the computer readable form for the herewith filed patent application. The paper copy of the Sequence Listing submitted herewith

Serial No.: Not yet assigned

Filed: Herewith

is identical to that on the compliant computer readable form of the Sequence Listing filed on May 25, 2001 in parent application Serial No. 09/866,028.

Respectfully submitted,

GENENTECH, INC.

Elizabeth M. Barnes, Ph.D.

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